I, DIANE SIDD-CHAMPION, declare:

- 1. I am one of the attorneys representing Plaintiffs in the above-entitled action. I am familiar with all proceedings in this action as well as the facts on which the action is based.
- 2. The following documents relating to this action have been served on the Defendant: Summons in a Civil Case; Complaint for Audit Entry and for Money; Order Setting Initial Case Management Conference and ADR Deadlines, with Standing Order; Drop Box Filing Procedures, Notice of Rule Discontinuing Service by Mail and Standing Order for All Judges of the Northern District of California re: Consent to Proceed Before Magistrate: Contents of Joint Case Management Statement; Notice of Assignment of Case to a United States Magistrate for Trail; Consent to Proceed Before a United States Magistrate Judge; Declination to Proceed Before a Magistrate Judge and Request for Reassignment to a United States District Judge; Consent to Proceed Before a United States Magistrate Judge; ECF Registration Information Handout; Welcome to the U.S. District Court, San Francisco and Plaintiff's Consent to Proceed Before Magistrate ("Documents").
- 3. On March 5, 2008, the Documents were served on Defendant Ramcon Company, Inc., pursuant to California Code of Civil Procedure section 415.20, by personally serving a true copy of the Documents on Dawn Smith, Defendant's accountant, at 1659-C Industrial Road, San Carlos, CA 94070, and by mailing a true copy of the Documents by first class mail, postage prepaid to Defendant Ramcon Company, Inc. at the same address on March 18, 2008. Accordingly, pursuant to California Code of Civil Procedure section 415.20, service on Defendant Ramcon Company, Inc. was complete on March 28, 2008.

- 1 4. On April 15, 2008, the Proof of Service of Original Summons and Complaint was electronically filed with the Court and 2 3 served by mail on Defendant. A true and correct copy of the Proof of Service of Original Summons and Complaint is Document No. 7 in 4 the Court's docket. 5 5. On April 15, 2008, the First Amended Complaint for Audit 6 7 Entry and for Money was filed and served by mail on Defendant. A 8 true copy of the First Amended Complaint, including the Declaration of Service by Mail, is Docket No. 6 in the Court's docket. 9 10
  - 6. Defendant is not an infant or incompetent person.

    Defendant is a corporation.
  - 7. Under Rule 12(a)(1)(A) of the Federal Rules of Civil Procedure, the time within which Defendant may answer or otherwise move as to the complaint has now expired. The time for Defendant to answer or otherwise move has not been extended by any stipulation of the parties or by any order of the Court. Defendant has not answered or otherwise moved and the time for Defendant to answer or otherwise move has not been extended.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 12, 2008 at San Francisco, California.

Dated: May 12, 2008

By: /s/ Diane Sidd-Champion
DIANE SIDD-CHAMPION

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